

PATENT

Atty. Dkt. No. 003493.00291 (ATT 2001-0335)

### REMARKS

In view of the following discussion, the Applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. § 102. Thus, the Applicants believe that all of these claims are now in allowable form.

### I. DRAWINGS

The Examiner objected to the drawings for failing to comply with 37 CFR 1.84(p)(5) because they included reference numbers not mentioned in the description. Namely, on Fig. 3, reference numbers 420 and 460 are not mentioned in the description. In response, the Applicants have amended the specification to include reference numbers 420 and 460. As such, the Applicants respectfully submit that the drawings now fully comply with 37 CFR 1.84(p)(5) and request the objection be withdrawn.

### II. IN THE SPECIFICATION

The Examiner objected to the specification for informalities. Namely the columns under the headings of Table 1 on page 9 are shifted to the left from their respective headings. In response, the Applicants have amended Table 1 on page 9 so that the columns are aligned with the headings. As such, the Applicants respectfully request the objection be withdrawn.

### III. REJECTION OF CLAIMS 1-28 UNDER 35 U.S.C. § 102

#### A. Claims 1, 5-10, 12-14, 16, 17, 19-21 and 23-27

The Examiner rejected claims 1, 5-10, 12-14, 16, 17, 19-21 and 23-27 as being anticipated by Kung (European Patent EP 0 863 678, Published September 9, 1998, hereinafter referred to as "Kung".) In response, the Applicants have amended independent claims 1, 17, 25 and 27 and respectfully traverse the rejection.

Kung teaches a method for automatic service provisioning for telecommunications. An existing customer calls a telecommunication company to make one or more service requests. (See Kung, Col. 3, Lines 20-51.) If the customer is

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validated as an existing customer a service order is generated pertaining to the received service request. (See *Id.*)

The Examiner's attention is directed to the fact that Kung fails to teach or to suggest a system or method for automated interactive management of a communication service account comprising a server and a data storage device comprising account data that comprises parameters establishing rules of use of at least one subscribed communication service, as positively claimed by the Applicants' independent claims. To illustrate, Applicants' independent claim 1 recites:

1. A system for automated interactive management of a communication service account, said account having parameters establishing rules of use, comprising:
  - a server; and
  - a data storage device in communication with the server, the data storage device comprising account data that comprises the parameters establishing rules of use of at least one subscribed communication service, where said at least one subscribed communication service is accessible by a user device,wherein the server is configured to receive a customer-initiated signal requesting modification of a first account parameter from said parameters and to modify the first account parameter in response to the customer-initiated signal (Emphasis Added.)

Applicants' system and method teaches automated interactive management of a communication service account where the account data comprises parameters establishing rules of use of at least one subscribed communication service. This gives subscribers flexibility in managing the usage of their subscribed communication service. (e.g., See Applicants' Specification, Paragraph 20.) For example, subscribers can exchange minutes applicable for one period for minutes applicable in a second period for a subscribed communication service. (See *Id.*) In other words, Applicants' invention allows usage parameters associated with a subscribed communication service to be adjustable by a user in an automated and interactive manner. The communication service is not being provisioned by the user-initiated signal. Instead, the user is able to manipulate the usage parameter, e.g., dialing plan, of the existing subscribed communication service.

In contrast, Kung teaches a method for automatically provisioning services

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initiated by an existing customer. (See Kung, Col. 3, Lines 20-51.) Services include requests for adding new telephone numbers, removing existing telephone numbers, adding new service features, removing existing service features, changing existing service providers, changing billing information, and dropping service altogether. (See Kung, Col. 9, Lines 47-54.) Therefore, a method for automatically provisioning service does not anticipate the Applicants' system and method that is limited to the automated interactive management of a communication service account where the account data comprises parameters establishing rules of use of at least one subscribed communication service. In other words, Applicants' invention is limited to how a user is able to interactively adjust a usage parameter of a subscribed communication service, whereas Kung is teaching an automated service provisioning method. Thus, Kung fails to anticipate Applicants' independent claims 1, 17, 25 and 27.

Furthermore, dependent claims 5-10, 12-14, 16, 19-21, 23, 24 and 26 depend from independent claims 1, 17, 25 and 27, respectively and recite additional limitations. For the same reasons discussed above, these dependent claims are also not anticipated by Kung and are allowable. As such, the Applicants respectfully request the rejection be withdrawn.

**B. Claims 1-4, 9-11, 14, 15, 17, 18, 21, 22, 27 and 28**

The Examiner rejected claims 1-4, 9-11, 14, 15, 17, 18, 21, 22, 27 and 28 as being anticipated by Rosenberg et al. (US Patent 6,628,934, Issued September 30, 2003, hereinafter referred to as "Rosenberg".) In response, the Applicants have amended independent claims 1, 17, 25 and 27 and respectfully traverse the rejection.

Rosenberg teaches systems and methods for automatically provisioning wireless services on a wireless device. A user can automatically enable wireless services without having to interact with a customer service representative or incur time delays to activate services. (See Rosenberg, Col. 3, Lines 34-39.) Wireless services may include cellular phone service, e-mail, internet access, games, financial trading, and location-aware services, among others. (See *Id.* at Lines 50-52.)

The Examiner's attention is again directed to the fact that Rosenberg fails to teach or to suggest a system or method for automated interactive management of a

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communication service account comprising a server and a data storage device comprising account data that comprises parameters establishing rules of use of at least one subscribed communication service, as positively claimed by the Applicants' independent claims. To illustrate, Applicants' independent claim 1 recites:

1. A system for automated interactive management of a communication service account, said account having parameters establishing rules of use, comprising:
  - a server; and
  - a data storage device in communication with the server, the data storage device comprising account data that comprises the parameters establishing rules of use of at least one subscribed communication service, where said at least one subscribed communication service is accessible by a user device, wherein the server is configured to receive a customer-initiated signal requesting modification of a first account parameter from said parameters and to modify the first account parameter in response to the customer-initiated signal (Emphasis Added.)

Applicants' system and method teaches automated interactive management of a communication service account where the account data comprises parameters establishing rules of use of at least one subscribed communication service. This gives subscribers flexibility in managing the usage of their subscribed communication service. (e.g., See Applicants' Specification, Paragraph 20.) For example, subscribers can exchange minutes applicable for one period for minutes applicable in a second period for a subscribed communication service. (See *Id.*) In other words, Applicants' invention allows usage parameters associated with a subscribed communication service to be adjustable by a user in an automated and interactive manner. The communication service is not being provisioned by the user-initiated signal. Instead, the user is able to manipulate the usage parameter, e.g., dialing plan, of the existing subscribed communication service.

In contrast, Rosenberg teaches a method for automatically provisioning wireless services. (See Rosenberg, Col. 3, Lines 34-39.) Wireless services may include cellular phone service, e-mail, internet access, games, financial trading, and location-aware services, among others. (See *Id.* at Lines 50-52.) Therefore, a method for automatically provisioning wireless services does not anticipate the Applicants' system

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and method for automated interactive management of a communication service account where the account data comprises parameters establishing rules of use. Thus, Rosenberg fails to anticipate Applicants' independent claims 1, 17, 25 and 27.

Furthermore, dependent claims 2-4, 9-11, 14, 15, 18, 21, 22 and 28 depend from independent claims 1, 17, 25 and 27, respectively and recite additional limitations. For the same reasons discussed above, these dependent claims are also not anticipated by Rosenberg and are allowable. As such, the Applicants respectfully request the rejection be withdrawn.

### Conclusion

Thus, the Applicants submit that all of these claims now fully satisfy the requirement of 35 U.S.C. §102. Consequently, the Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the issuance of a final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

3/8/05

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